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March 12, 2020

VIA ECF FILING

The Hon. Analisa Torres, U.S.D.J.
United States District Court, Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Hohns v. Mariner Investment Group, LLC, No. 1:19-cv-08654-AT

Dear Judge Torres:

We represent plaintiff Andrew Hohns in the above-referenced action pending before the Court (the "Action"). Pursuant to Rule I(C) of Your Honor's Individual Practices and Rule 7.1(D) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, we write jointly with counsel for defendant Mariner Investment Group, LLC (collectively with plaintiff, the "Parties"), to respectfully request that the Court stay the Action for sixty (60) days while the Parties work toward finalizing a settlement agreement that would resolve their dispute.

The Parties' good-faith settlement efforts have resulted in an agreement-in-principle that would finally resolve both the issues before this Court and the issues in the underlying JAMS arbitration proceeding. The Parties have executed a Term Sheet and are proceeding to prepare definitive written agreements to effectuate their settlement. Once the Parties are able to do so, the Action will be voluntarily dismissed with prejudice. Given the progression of settlement discussions, the Parties wish to avoid any further burdens on the Court and to avoid any further litigation expense during the requested stay period. This is the Parties' first request for a stay and it is being made in good faith and not for the purpose of delay or any other improper purpose. Courts in this Circuit have often granted joint requests for stays where, as here, the parties are undertaking good-faith settlement efforts to finally resolve their dispute. *See, e.g., In re MF Global Holdings Ltd. Inv. Litig.*, 998 F. Supp. 157 (S.D.N.Y. Feb. 11, 2014); *In re Citigroup Inc. Bond Litig.*, 296 F.R.D. 147 (S.D.N.Y. Aug. 20, 2013); *Ochei v. Mary Manning Walsh Nursing Home Co., Inc.*, 2012 WL 1977443, at *2 (S.D.N.Y. May 31, 2012).

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Accordingly, the Parties respectfully request that the Court grant a 60-day stay of this Action, including a stay of the Court's decision on the Parties' pending cross-motions to compel arbitration and motions to dismiss.

Respectfully submitted,

/s/ Brian W. Shaffer
Brian W. Shaffer
Morgan, Lewis & Bockius LLP
Counsel for Plaintiff

/s/ Matthew Solum
Matthew Solum
Kirkland & Ellis LLP
Counsel for Defendant

BWS
c: All counsel of Record (Via ECF)

GRANTED. The action is STAYED for 60 days to provide the parties time to finalize a settlement agreement. The parties are directed to submit a joint status letter by **April 11, 2020**.

SO ORDERED.

Dated: March 12, 2020
New York, New York



ANALISA TORRES
United States District Judge